

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ELIZABETH A. PARKERSON

PLAINTIFF

NO. 4:18CV00184-JMV

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ON PETITION FOR ATTORNEY FEES

Before the Court are Plaintiff's motion [22] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and Defendant's response [23]. For the reasons that follow, the motion is granted.

In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment [21] dated December 16, 2019, this Court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks an award of \$5,304.49, which represents \$5,254.20 in attorney fees and \$50.29 in expenses, on the grounds that Plaintiff was the prevailing party, and the Commissioner's position was not "substantially justified." The Commissioner does not oppose the requested award.

The Court, having thoroughly considered the motion, response, and the applicable law, finds the requested award is reasonable; and no special circumstance would make the award unjust.

THEREFORE, IT IS ORDERED:

That the Commissioner shall promptly pay to Plaintiff, for the benefit of her counsel, a total of \$5,304.49, which represents \$5,254.20 in attorney fees and \$50.29 in expenses.

This 25th day of February, 2020.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE